

Notice of Allowability

Application No.

09/811,080

Examiner

Theresa T. Snider

Applicant(s)

HILSCHER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdt. and Terminal Disclaimers of 7/18/2005.
2. ☒ The allowed claim(s) is/are 1,3-12,14-36 and 39.
3. ☒ The drawings filed on 14 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/3, 7/18/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 7/13, 8/8/2005
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Howley on 8/8/2005.

The application has been amended as follows:

In the Claims

Claim 1 has been rewritten to:

--1. A handle section (1) of an electric dental cleaning or brushing device (1, 2), comprising a housing, a coupling section at an end of the housing for coupling a brushing or cleaning tool (2) thereto, a drive mechanism (23) for driving the coupled brushing or cleaning tool, and a control device (27) having an interlock device (100), for preventing operation of the drive mechanism, wherein when the tool is coupled to the coupling section the interlock device sends a first signal to the interlock canceling element and the interlock canceling element returns a second signal to the interlock device to deactivate the interlock device and allow operation of the drive mechanism.--

Claim 2 has been canceled.

Claim 3 has been rewritten to:

--3. A handle section (1) of an electric dental cleaning or brushing device (1, 2), comprising a housing, a coupling section at an end of the housing for coupling a brushing or

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cleaning tool (2) thereto, a drive mechanism (23) for driving the coupled brushing or cleaning tool, and a control device (27) including an interlock device (100) which is deactivatable by an interlock canceling element (7) provided on the brushing or cleaning tool and an encoding detection device (5) for detecting an encoding of the interlock canceling element (7) of the coupled brushing or cleaning tool (2), wherein when the tool is coupled to the coupling section the interlock canceling element sends a first signal to the encoding detection device and the encoding detection device returns a second signal to the interlock device to deactivate the interlock device and allow operation of the drive mechanism.--

Claim 10, line 3, ‘, preferably displaceably,’ has been deleted.

Claim 14 has been rewritten to:

--14. The handle section as claimed in claim 3, wherein the encoding detection device (5) includes a signal receiver (20) for receiving an encoded signal from the interlock canceling element (7), and/or a signal transmitter (20) for transmitting an interrogation or activation signal, to the interlock canceling element (7).--

Claim 17 has been rewritten to:

--17. The handle section as claimed in claim 3, wherein the encoding detection device (5) includes a circuit, for detecting a metallic and/or electromagnetic encoding of the interlock canceling element (7).--

Claim 21 has been rewritten to:

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--21. The handle section according to claim 1, wherein the interlock canceling element (7) is fastened to or in the handle (26).--

Claim 23 has been rewritten to:

--23. A brushing or cleaning tool for an electric dental cleaning device having a drive mechanism comprising a body having a first and a second end, a brushing or cleaning head at the first end, a coupling section extending from the second end to effect coupling to a handle section (1)), having an interlock device_a of the electric dental cleaning device, and an interlock canceling element (7) secured directly or indirectly to the housing for deactivation of the interlock device (100) of the handle section (1), the interlock device (100), when activated, disabling the electric dental cleaning device from operating in a cleaning manner, wherein when the tool is coupled to the handle section the interlock device sends a first signal to the interlock canceling element and the interlock canceling element returns a second signal to the interlock device to deactivate the interlock device and allow operation of the drive mechanism.--

Claim 24 has been rewritten to:

--24. A brushing or cleaning tool for an electric dental cleaning device having a drive mechanism, comprising a housing having a first and a second end, a brushing or cleaning head at the first end, a coupling section extending from the second end to effect coupling to a handle section (1), having an interlock device_a of the electric dental cleaning device, and an interlock canceling element (7) including an encoding device or member having a magnetic, electrical, capacitive, electromagnetic, optical and/or mechanical encoding function or property wherein when the tool is coupled to the handle section the interlock device sends a first signal to the

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interlock canceling element and the interlock canceling element returns a second signal to the interlock device to deactivate the interlock device and allow operation of the drive mechanism.--

Claim 25 has been rewritten to:

--25. A brush or cleaning tool for an electric dental cleaning device having a drive mechanism, comprising a housing having a first and a second end, a brushing or cleaning head at the first end, a coupling section extending from the second end to effect coupling to a handle section (1), having an interlock device, of the electric dental cleaning device, and an interlock canceling element (7) including a signal receiver for receiving a signal from the handle section (1) and/or a signal transmitter for transmitting an interlock deactivating signal to the handle section (1) to deactivate the interlock device and allow operation of the drive mechanism.--

Claim 26 has been rewritten to:

--26. The brush or cleaning tool as claimed in claim 25, wherein the signal receiver and/or the signal transmitter are one or more metal coils (44, 45) having encoding elements for encoding a received signal.--

Claim 27 has been rewritten to:

--27. A brushing or cleaning tool for an electric dental cleaning device having a drive mechanism, comprising a body having a first and a second end, a brushing or cleaning head at the first end a coupling section at the second end to effect coupling to a handle section (1) of the

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electric dental cleaning device, and an interlock canceling element (7) having an encoding body which is fixedly connected to the body of the cleaning tool and configured so as to be positioned in the range of detection of an encoding detection device (5) of the handle section (1) when the cleaning tool (2) and the handle section (1) are in a coupled condition wherein, in the coupled condition, the interlock device sends a first signal to the interlock canceling element and the interlock canceling element returns a second signal to the interlock device to deactivate the interlock device and allow operation of the drive mechanism.--

Claim 28, line 2, 'at least one actuating section function as' has been deleted.

Claim 29, line 2, 'wherein' has been deleted;

Line 2, 'is provided' has been deleted.

Claim 30, line 2, 'preferably' has been deleted.

Claim 31 has been rewritten to:

--31. The brushing or cleaning tool as claimed in claim 23, wherein the interlock canceling element (7) includes at least one magnetic field effecting member or encoding body (8) which is arranged in the area of the coupling section.--

Claim 32 has been rewritten to:

--32. The brushing or cleaning tool as claimed in claim 23, wherein the interlock canceling element (7) includes at least one dielectrically acting member or encoding body (8) which is arranged in the area of the coupling section.--

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Claim 33 has been rewritten to:

--33. The brushing or cleaning tool as claimed in claim 23, wherein the interlock canceling element (7) includes an optical waveguide (37) communicating with a light entrance opening (38) and a light exit opening (39) provided in the coupling section.--

Claim 34 has been rewritten to:

--34. The brushing or cleaning tool as claimed in claim 23, wherein the interlock canceling element (7) is an integral part of the body.--

Claim 35 has been rewritten to:

--35. The brushing or cleaning tool as claimed in claim 23, wherein the interlock canceling element (7) is releasably connected to the body.--

Claim 36 has been rewritten to:

--36. The brushing or cleaning tool as claimed in claims 33, wherein the interlock canceling element (7) is integrated in a ring (8) arranged at the coupling section that is snap-fittable to the body of the cleaning tool by positive engagement therewith.--

Claims 37-38 have been canceled.

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2. The following is an examiner's statement of reasons for allowance: the prior art discloses brushing or cleaning tools with a handle section having a drive mechanism and a cleaning tool HOWEVER fails to disclose or fairly suggest the handle section having an interlock device for preventing operation of the drive mechanism and the cleaning tool having an interlock canceling element wherein when the tool is coupled to the coupling section the interlock device sends a first signal to the interlock canceling element and the interlock canceling element returns a second signal to the interlock device to deactivate the interlock device and allow operation of the drive mechanism. .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Thursday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Kim can be reached on (571) 272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Theresa T. Snider
Primary Examiner
Art Unit 1744

8/16/2005

THERESA T. SNIDER
PRIMARY EXAMINER